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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,379	02/14/2002	Kohji Hashimoto	JP9-2001-0021-US1	1345

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EXAMINER	
QURESHI, SHABANA	

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/076,379	HASHIMOTO, KOHJI	
	Examiner	Art Unit	
	Shabana Qureshi	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 February 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-35* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 February 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *11/12/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to application filed on Feb. 14, 2002. Claims 1-35 are pending examination.

Claim Rejections - 35 USC § 102

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Hamilton et al., U.S. Patent No. 6,392,993 (referred to hereafter as Hamilton).

As to claims 1, 3, 27 and 30, Hamilton teaches a network system and program that supports unicast as a communication scheme from a server to one client in a network, multicast as a communication scheme from the server to all the clients in a predetermined group, and broadcast as a communication scheme from the server to all the clients in the network, wherein said server comprises:

a permanent ID information storage section for storing permanent IDs of each of the clients, wherein each of the clients is granted a permanent ID that is mutually identifiable and permanent (see col. 12 lines 25-32, a source and destination ID are maintained); and

a polling transmission section for transmitting a packet for polling to the clients by means of broadcast or multicast, wherein the packet contains information about the permanent IDs of the clients that need or need not reply to the polling (see col. 3 lines 32-41, the client needs only to acknowledge every Nth packet), and

wherein said client comprises:

a permanent ID information storage section for storing its own permanent ID information;

a determination section for determining whether or not to reply based on whether its own permanent ID is contained in the packet for polling that has been received by means of broadcast or multicast (see col. 28 lines 19-67, client maintains a list of the received packets and determines whether an acknowledgment is required based on the flag in the packet where the flag is set every nth packet); and

a reply section for replying or not replying to the server based on the determination made by said determination section (see col. 28 lines 19-67).

As to claims 2 and 4, Hamilton teaches the network system according to claims 1 and 3 respectively, wherein said polling is associated with non-receipt at said server of an ACK or NACK from said clients in response to transmission of file data from said server to said clients (see col. 28 lines 19-67).

As to claims 5, 11, 17-18, 26, 29, 31-32 and 35, Hamilton teaches a client in a network system, method and program that supports unicast as a communication scheme from a server to one client in a network, multicast as a communication scheme from the server to all the clients in a predetermined group, and broadcast as a communication scheme from the server to all the clients in the network, comprising:

a permanent ID information storage section for storing its own permanent ID information, wherein each of the clients is granted a permanent ID that is mutually identifiable and permanent (see col. 12 lines 25-32);

a determination section for determining whether or not to reply based on whether its own permanent ID is contained in the packet for polling that has been received by means of broadcast or multicast (see col. 28 lines 19-67); and

a reply section for replying or not replying to the server based on the determination made by said determination section (see col. 28 lines 19-67).

As to claims 6 and 12, Hamilton teaches the client according to claims 5 and 11 respectively, wherein said polling is associated with non-receipt at said server of an ACK or NACK from said clients in response to transmission of file data from said server to said clients, and wherein said reply section puts its client's own permanent ID information in a reply packet to said server (see col. 12 lines 25-32).

As to claims 7, 9, 19-23 and 28, Hamilton teaches a network system and program that supports unicast as a communication scheme from a server to one client in a network, multicast as a communication scheme from the server to all the clients in a predetermined group, and broadcast as a communication scheme from the server to all the clients in the network, wherein said server comprises:

a permanent ID information storage section for storing permanent IDs of each of the clients, wherein each of the clients is granted a permanent ID that is mutually identifiable and permanent (see col. 12 lines 25-54);

a notification of information transmission section for transmitting a packet for notification of information to the clients by means of broadcast or multicast, wherein the packet contains information about the permanent IDs of the clients that need or need not reply to a polling packet sent afterward (see col. 12 lines 25-54); and

a polling transmission section for transmitting a packet for polling to the clients by means of broadcast or multicast after said notification of information transmission section transmits the packet for notification of information, and wherein said client comprises: a permanent ID information storage section for storing its own permanent ID information (see col. 28 lines 19-67);

a determination section for determining whether or not to reply to the polling afterward based on whether its own permanent ID is contained in the packet for notification of information that has been received by means of broadcast or multicast (see col. 28 lines 19-67); and

a reply section for replying or not replying to said server in response to the packet for polling received by means of broadcast or multicast based on the determination made by said determination section after receipt of the packet of said notification of information (see col. 28 lines 19-67).

As to claims 8 and 10, Hamilton teaches the network system according to claims 7 and 9 respectively, wherein said notification of information is associated with receipt or non-receipt at said server of an ACK or NACK from said clients in response to transmission of file data from said server to said clients, and wherein said polling is associated with non-receipt at said server

of an ACK or NACK from said clients in response to the transmission of the file data from said server to said clients (see col. 28 lines 19-67).

As to claims 13, 15, 24-25 and 33-34, Hamilton teaches a network system and program that supports unicast as a communication scheme from a server to one client in a network, multicast as a communication scheme from the server to all the clients in a predetermined group, and broadcast as a communication scheme from the server to all the clients in the network, wherein said server comprises:

a permanent ID information storage section for storing permanent IDs of each of the clients, wherein each of the clients is granted a permanent ID that is mutually identifiable and permanent (see col. 12 lines 15-54);

a polling transmission section for polling the clients from which an ACK or NACK has not been received after file data was transmitted to the clients by means of broadcast or multicast, wherein in a polling mode with non-receipt information, a packet for polling itself or notification of information prior to the polling is transmitted to said network by means of broadcast or multicast, wherein the packet contains permanent IDs of the clients that need reply to the polling, whereas in a polling mode with receipt information, a packet for polling itself or notification of information prior to the polling is transmitted to said network by means of broadcast or multicast, wherein the packet contains permanent IDs of the clients that need not reply to the polling (see col. 28 lines 19-67);

a detection section for detecting a number N of clients from which an ACK or NACK has not been received in response to the transmission of the file data from the server to the clients by means of broadcast or multicast (see col. 28 lines 19-67); and

a switching section for switching between the polling mode with non-receipt information and the polling mode with receipt information in said polling transmission section based on the number N, and wherein said client comprises: a permanent ID information storage section for storing its own permanent ID information (see col. 28 lines 19-67);

determination section for determining whether or not to reply to the polling based on whether its own permanent ID is contained in the packet for polling itself or notification of information prior to the polling that has been received by means of broadcast or multicast; and a reply section for replying or not replying to said server in response to the packet for polling received by means of broadcast or multicast based on the determination made by said determination section (see col. 28 lines 19-67).

As to claims 14 and 16, Hamilton teaches the network system according to claims 13 and 15 respectively, wherein the switching section determines, based on N, which makes the number of packets to be transmitted smaller, the polling mode with non-receipt information or the polling mode with receipt information, and based on the determination switches between the polling mode with non-receipt information and the polling mode with receipt information in said polling transmission section (see col. 28 lines 19-67).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shabana Qureshi whose telephone number is (571) 272-3990. The examiner can normally be reached on Monday - Thursday, 9:30 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shabana Qureshi
Examiner
Art Unit 2155

SQ
March 19, 2005

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER